

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

October 28, 2002

**RESPONSIBLE STAFF:**

**Mark DePoe, Director  
Long Range Planning**

**AGENDA ITEM:**

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing <b>**Joint**</b>
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
<b>X</b>	Work Session Discussion Item
	Other:

**PUBLIC HEARING HISTORY:**

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	8/28/2002
	9/04/2002
Hearing Date	9/17/2002
Record Held Open	Indefinitely
Policy Discussion	

**TITLE: Z-294**

**Work Session on Map Amendment Z-294 to Rezone a Portion of Parcel 910 (23.3 acres) and Outlot 1B (0.1 acres)**

**SUPPORTING BACKGROUND:**

Gary Unterberg, Rodger Consulting, Inc., on behalf of BP Realty Investments, LLC, ("Applicant"), is requesting to rezone a portion of Parcel 910 (23.3 acres) and Outlot 1B (0.1 acres) located northwest of the intersection of MD Route 355 Watkins Mill Road from the I-3 (Industrial Office Park) Zone to the C-2 (General Commercial) Zone.

The Applicant has selected the optional method for the Map Amendment Application, Per Section 24-198 of the Zoning Ordinance and the Applicant has submitted a Schematic Development Plan (SDP) as part of the rezoning application. The SDP proposes approximately 73,000 – 105,000 Square Feet of Office, Service, Retail, Restaurant and Service Station Uses.

The optional method of rezoning is a technique that allows a property to be rezoned with specific covenants and restrictions to the uses and development standards on the land. The SDP limits development standards to less than the maximum permitted and/or limits the land use of the applicant's subject property to one or more of the permitted uses in the requested C-2 zone. The covenants shall indicate in specific language that the subject property is restricted in its use and/or development standards to the SDP and any accompanying or qualifying text material and recorded in the land records of Montgomery County.

The Mayor and Council and the Planning Commission held a joint public hearing on September 17, 2002. The main issues discussed were better pedestrian orientation, a greater mix of uses, clustering of buildings, rezoning to MXD or CD zones, Watkins Mill improvements and traffic impacts. Planning Commission recommendation is tentatively scheduled for December 4, 2002. Staff will continue to work with the applicant to revise the SDP and declaration of covenants to address concerns.

**Attached:**

Exhibit 1: September 17, 2002 Public Hearing Transcript

Exhibit 2: Traffic Study

Exhibit 3: Schematic Development Plan

**DESIRED OUTCOME:**

**Review and Discuss SDP. Provide Guidance to Staff.**

TRANSCRIPT OF  
JOINT PUBLIC HEARING

ON

**Z-294**

Map Amendment Application Requests to Rezone a Portion of Parcel 910 (23.3 acres) and Outlot 1B (0.1 acres) Located Northwest of the Intersection of MD Route 355 Watkins Mill Road from the I-3 (Industrial Office Park) Zone to the C-2 (General Commercial) Zone. The Applicant has Selected the Optional Method for the Map Amendment Application, Per Section 24-198 of the Zoning Ordinance and the Applicant has Submitted a Schematic Development Plan as Part of the Rezoning Application. The Schematic Development Plan Proposes 73,000 – 105,000 Square Feet of Office, Service, Retail, Restaurant and Service Station Uses

BEFORE THE  
CITY OF GAITHERSBURG  
MAYOR AND CITY COUNCIL  
AND  
PLANNING COMMISSION  
ON

September 17, 2002

Transcribed by  
Doris R. Stokes  
September, 2002



PARTICIPANTS

CITY COUNCIL

Mayor Katz  
Council Vice President Edens  
Council Member Alster  
Council Member Somerset

PLANNING COMMISSION

Chair Keller  
Commissioner Levy  
Commissioner Winborne

CITY MANAGER

David B. Humpton

CITY ATTORNEY

Stanley D. Abrams

STAFF

Long Range Planning Director DePoe

OTHER SPEAKERS

Jody Kline, Miller, Miller and Canby  
Michael Medick, M&A Architects, Baltimore, Maryland  
Gar Campbell, Landscape Architect, Salt Lake City  
Richard Arkin, 121 Selby Street  
Daniel Reeder, 11520 Game Preserve Road

Katz           The next item that we have is a joint public hearing and I would like to invite the Planning Commission to please join us. And while they are doing that I would like to ask Mark DePoe to please come to the podium and explain the public hearing we are going to have Z-294. If I can ask the Planning Commission to come up as quickly as possible. Mark you can begin please.

DePoe          Ok. Thank you. Once again this is a map amendment application requesting the rezoning of a portion of a parcel 910 (23.3 acres) and outlot 1B, which is 0.1 acres. The applicant has selected what is called the optional method of map amendment application for the rezoning per Section 24-198. As part of that process, they did have to submit a schematic development plan, which the applicant will be going over tonight. Just briefly, the optional method of rezoning is a technique that allows a property to be rezoned with specific covenants and restrictions to the uses and development standards on the land. The schematic development plan will limit the development standards to less than the maximum permitted and/or limits the land use of the applicant's subject property to one or more of the permitted uses in the requested zone. In this case, they are asking to rezone from what is the Industrial I-3 Zone to the Commercial C-2 Zone. And with that I would like to turn it over to Mr. Kline, representing the applicant.

Katz           Thank you very much Mark. Mr. Kline, please.

Kline          Good evening. For the record my name is Jody Kline. I am the attorney for the applicant of this case. And I know you got a package from staff and we are going to give you an overview of the property including a lot of our application materials so I won't belabor its location. But we did put up over here an exhibit which we've highlighted in pink, I guess is the color of that, the pieces of property that are subject to the rezoning application and you probably look at that and say, that's a little bit different then what we

are use to dealing with in terms of it seems somewhat broken up. And why do those holes or gaps exist in the property? And the reason we've done it this way is because, if you recall, the underlying zoning is in the I-3 classification. And there is such a demand for the employment and the R&D component of what we envisioned for this property, that we did not want to have to wait through the rezoning process to get started. So we have actually and members of the Planning Commission had had an opportunity to see this, what we highlighted on the larger context of this property, this being 355, this being Watkins Mill Road extended and I-270. The highlighted portion is that part of the property that already has I-3 concept plan approval with basically office and R&D components within it. Now what we are going to present to you this evening is how are you going to take the existing I-3 Zone, tie it together with the old C-2 Zone to provide you with basically a seamless integrated development worthy of the next generation of development in the City of Gaithersburg. And to show you how this schematic plan is going to work, I would like to introduce Mike Medick, architect from Baltimore and Gar Campbell, landscape architect from Salt Lake City, Utah, to show you how this is going to work, and as I said, as an integrated form of development, I think it will be something that you will be very pleased about. It will energize this part of the City with a lot of opportunities. If you don't have any questions, I'll ask them to begin.

Katz            Please.

Medick          For the record, my name is Michael Medick. I'm an architect and town planner with a national practice based in Baltimore, Maryland. We were recommended to be a part of the design team by Mike Watkins with DPZ based on our experience doing mixed used and town center projects across the country. Our involvement is really to look at this plan and how it can actually be implemented and how the pieces come together. The thing about the plan the way it is set up, there are edges that are created

by the placement of the buildings. The buildings are strategically placed to allow pedestrian access, which will get into greater detail as we move through the plan. But by taking some of the parking and hiding it back behind the building using it as a screen and actually creating....

Kline           Mike can you hold up a second. We are getting a glare from the TV screen because of the overlay.

Katz            That's good. Much better.

Medick          The idea is to create this edge which then will allow us to park behind the buildings; although the architecture that you will see is actually four-sided architecture along the building. There are then areas where we can provide for pedestrian access between the buildings. There are things that we are doing on the site plan in order to screen, to provide access for loading, areas again for pedestrian access, ways to screen the trash containers. And then to actually take this plan and by having the parking be put on the interior of it to create not only a public front on Frederick Avenue, and then also on the future Watkins Mill Road, but then to also create an interior street, which is what really makes this place to be your destination. You can come, you can park and then you can become a pedestrian within this entire parcel of ground. This project really comes out of the need for a restaurant to be here based on the existing residential base that is here. It will serve that base as well as serving the existing and the future work staff in the area. Let me put up a couple of the boards and start showing you a little bit about what we envisioning in terms of the architecture. What we want to do is to create.....

Somerset       Excuse me. Aren't we suppose to be, we are not discussing a development proposal tonight, right? We are discussing rezoning?

Katz They are doing both. They are doing this as an optional method. So therefore, that's why they are presenting this as part of their rezoning. And we will get into that in second, but that is part of their optional method.

Medick Now what we are trying to do is show the overall, not only the plan, but to show how the implementation and how we see it, envisioning it taking place by actually creating something that has a high quality of architecture. It is not your typical restaurant pad site and sea of parking, but how it is a contiguous project working together. We envision a palette of materials that will be used not so that every building is the same, but so that they will work together in concert by using perhaps a stone base or a brick base. Actually setting the buildings up off the ground. Giving them some good scale and proportion. So that it is not your typical building that looks like it has had its knees cut off or looks like it's sinking into the ground. But actually to create an edge that would work with the landscape plan that we will also present. But also to create that backdrop with a landscape and create that edge along, again hiding the parking. As the building turns the corner, this building you see is possibly one of the corner buildings which will become sought of, not only the identification of the project, but a special piece within the project. And as it turns the corner, you can see that it has a two-sided architecture here. Our idea is that the entrance will be back on the parking side. But the character of the architecture will follow through on each of the facades. Here is another board that will show again, some of the variety we see in terms of the architecture, but again working with the same scale, proportioned character. Whether the buildings have pitched roofs, whether the buildings have flats roofs, working together with signage, and working together with awnings. Again trying to create that pedestrian feel. Again the idea is to make a place where people can come to their destination, park their car and walk throughout this project. A couple of renderings here again to give you sought of a three-dimensional feel for what happens at that significant corner. And Gar Campbell will explain more

about the idea of what we are looking to do in here in terms of the buffer for park that is essentially is along Frederick Road. And then another view here, again sought of marking the corner making significant statements in terms of the architecture in key places within the plan. This is showing two restaurant sites that will be sort of up to the taking you into the part of the project. The idea here was to create a sense of place within the plan. Here we are showing sort of an outdoor café (inaudible) and a public sidewalk. There will be places for benches to grab a lunch and to sit. There will places where there will be a fountain in the center of the project. Again it will be an active place. The idea is to create this as a very active center. The edge that I talked about comes about by the scale of the building and the height of the building using that wall. It will become the backdrop for a park that is proposed along Frederick Road. Actually I will turn that over to Gar to let him explain that parcel.

Campbell For the record my name is Gar Campbell. I am the landscape architect. I was recommended to be a consultant of this project by Mike Watkins. I originally worked with Mike at DPZ on the preparation of the Master Plan at Kentlands. And I was active in doing a lot of landscaping there. And I worked with Jennifer and staff many years ago. In 1994 I moved out to Utah (inaudible) and they hit a rough spot and worked on the Olympics for several years. And I'm glad now to be back on the East Coast. The concept that we would like to propose for this piece of property is based on these two huge transportation corridors, which are on the south edge and the east edge of the property. I understand that they are in the neighborhood of six lanes wide that means a huge amount of traffic will go pass this piece of property. What we would like to propose is that there be green space created between the highway and the walkway that is park like in character. The idea of being that these huge trees will be planted in that area. You will see through into a landscaped zone that will be planted luxuriously with high quality evergreen plant material. And on the side of that would be developed places for outdoor use that would be integrated



with the buildings. In the plan view, it is represented by Route 355, the entrance off Route 355 end of the property with these building locations which would be connected either by walls, hedges or intensive landscape that would then allow these buildings to peak through to the highway. But the internal use of the property would become pedestrian for people walking into these pedestrian links into the buildings and then out onto these landscape terraces. The corner building would be the one on the corner of 355 and Watkins Boulevard. That would have an upscale quality to it. And these buildings would be connected by a hedge with this open green space to come around touching the highway with a path that is pulled back sufficiently far so that people can be comfortable walking along this busy corridor and still have a link around the property. In reality, all the pedestrian traffic, say 99 percent of it will be generated inside parking areas and drift over to edges. This is the southern edge of the property with the main entry into the center of the complex with restroom facilities on the four corners bank and these parking areas to be linked through the area with a hierarchy of pathways. So the end result of this very quick study would be to create this edge which would be the northern edge set in a garden setting. The garden occurring along the outer edge of the development and the urban edge on the interior side.

Edens        How much space is there that we are talking about? Because when we look at this plan, it looks like a slither in order to do all the things that you are talking about.

Campbell     We are dealing with a very small piece of land, but I think that if the right-of-way is dedicated for the utility easement where it is dealt with differently then what is shown on the engineering plans, then you can gain about 26 feet between the edge of the road and the interior of the outer edge of the sidewalk. Plus another eight feet which would give you about another 34 feet.

Katz Which is like two lanes of road.

Campbell There is enough room in landscape terms to create an environment that one could walk around the edge without being pushed right over to the side of the traffic. And you know plant beds can be deal with very intensively in a very small amount of space. Twelve feet of space in a planting bed if you are doing your own planting at home is a lot of work and could use a great deal of money. So from this area back to here is about 34 feet. There is almost 50 feet back (inaudible) building.

Alster You had a drawing that was a cut away view that showed the plans and what look like a (inaudible) line with the large trees? So that the road then would be to the far right there?

Campbell The road is to the far right. You have 26 foot green space would be lawn and trees and an eight-foot wide pathway. And then of course this area varies. So there is enough there to do a significant amount of planting.

Alster So then the entire distance from the edge of the road as it's built to the building, would be about 50 feet?

Campbell It varies all through that. As you can see the overall plan shows that the buildings going back and forward towards the edge of the road.

Katz Ok. Are you finished with your presentation? Is there any additional presentation?

Kline Well I would only say that you got the application materials. Basically, I'm dealing with the legal side of the case, which we are obligated to present to you also. Ms. Somerset asked a good question. It is a rezoning application. We dwelled on what appeared to be more on the design issue. But in this case we've selected the C-2 optional method which

basically allows you to tailor through the covenants by setting the setbacks and a lot of the design features so that you can basically end up with a C-2 piece of property, but we are locked into a plan that we all agree which you want to achieve on the property. That is why we spend so much time going at the design issue so you understood why we were basically setting the buildings and why we thought we could treat them appropriately. In a way that we frankly think that is very exciting and I think we will probably get into that more detail with you.

Katz           And I was going to suggest that. Quite candidly, and I guess it's the first diagram, not the actual architectural and not the landscaping. But to me this one is basically Milestone with a little nicer twist. We are calling it pedestrian oriented, but if someone in building O or whatever it is, all the way at the top is not going to walk as far as I am concern down to any of the other buildings. I mean this is get in your car and drive to another restaurant. And we've avoided that for RIO. We've avoided that in other areas in Gaithersburg and I believe that we should discuss, if this goes through as a rezoning, this should be discussed at length at a work session or more than one work sessions to see if we can also have something that is a much better plan than this. Quite candidly, what I see with the plan itself, not the rezoning, but the actual plan itself, we could of have 16 individual property owners come in and not have too much of a different plan. Now I understand that we are tying it together with landscaping and architecture and it would look nicer, but its certainly not going to make it anymore pedestrian oriented in my opinion. But to me it's a two-step feature and I think it was a valid point that Ann brought up. If we say that this property should go ahead and be rezoned, then I think we should then spend the time for how it is going to look and how it is going to be tied together. If we say its not, then there is no need to spend that time at this point. So I am going to suggest that we go together, but that we obviously, I like to be upfront and say that I, and I'm just one person, but I believe that that is not pedestrian orient in general. I understand that you

are trying to tie it together in some ways, but I don't believe that it's in anyway that we would appreciate for what we have done in other areas.

Kline It may well be that the short coming of what we did tonight is terms of trying to streamline the presentation to avoid a long hearing, we probably told Mr. Campbell and Mr. Medick to shorten some of their presentation about it was suppose to be more integrated then maybe of what you have reviewed today. And we can either submit materials to you during the time or sit down with you at a work session and show you 1) how we elaborated on what we talked about back and then maybe how we can polish it up.

Katz I think both would be appropriate.

Winborne I would have to agree with you Sidney because I was focused more on the design and the buildings. And I was a little confused as to what our purpose was.

Katz Well we are not usually seeing it this way, but it's a good way to see it.

Winborne If we can look past some things. (inaudible) maybe this is something we should consider, but I was more focused more on the buildings and how (inaudible) as opposed to the rezoning issue.

Kline And you can see we focused more on the view from the edge to the end and I think you wanted to look at the interior as well. And we will put more time into it.

Keller Sidney I took a look at the covenants and I guess it bothered me that one of the things that you are saying that you would exclude from the site would be theaters. And I say that because there are no theaters on that side of Gaithersburg. There were theaters in Lakeforest; there were

theaters in Montgomery Village. There were theaters in Gaithersburg Square and over on Clopper in Quince Orchard. They're all gone. The only theaters in the City are way on the other side either in the Kentlands or at the RIO. And the RIO, when they expanded to 14, said they were going to start having some art films and they haven't done it. So I think that we can have some more theaters and maybe have some that show art films and we have to apply.

Katz        You know, not to interrupt you, but the irony is that at one time I believe on this piece property was nothing but theaters.

Keller       I don't think that is what I'm talking about here.

Alster       Jody obviously remembers those theaters.

Kline        You're dating me.

Edens        Jody I remember so you have to remember too.

Keller       But I think it is not something we should rule out here. A nice mix, where you got restaurants, it's nice to have some entertainment.

Kline        We will be prepared to address that at your work session also.

Alster       I agree with you Sidney. I would like to see us go to work session. I think that there are some nice features of the integration here, but as it was being described, I was just thinking about the distances as I know them and really question whether people would be interested in walking. At least the way it was described. So I think it would be better to be able to have the work session and go through that as well as on the interior side.

Kline Well, we are please to kind of let you into our minds to see how this has all evolved the way it did.

Katz Any other questions?

Levy I was just going to say that my reaction to the comment that we were going to seeing a sea of parking. Is it from the outside, which Jody as you said is the focus tonight as you were presenting this, you probably won't, but once you get inside on the drawing we have, there's a sea of parking.

Katz Any other questions please?

Somerset Well I got all (inaudible) up into all of the legal stuff Jody presented, so I have a question about that. Well first of all from a Birdseye view; your preliminary focus on wanting to change the zoning is to do what? There was a lot of talking about restaurants, to include restaurant uses in fact the bottom line?

Kline Yes, I would say there are two parts. One, when you did your 1996 Master Plan, you basically left the I-3 as a holding zone and both in that and your corridor development studies, you talked about more retail and service oriented uses and restaurants and actually mentioned hotel for this property as well. Those aren't uses that are permitted in the I-3 so you were basically inviting a zoning application. And the C-2 Zone with the option of method of application, basically lets you not only target the uses you want to very strictly limit the development standards so you are going to get exactly what we show you.

Somerset And then I have a specific question about, it probably doesn't matter. But where you reference the case law in Maryland here, I was just curious because it seemed internally contradictory and not being a lawyer, could you straighten it up for me.

Levy            Being a lawyer it looked contradictory.

Kline           Which part is that?

Levy           The middle paragraph of page three.

Somerset       I'm glad I'm not the only one.

Kline           Well, and that is.....you're talking about the quantum of change?

Levy           Right. You say it's greater when you are going from more intense to less intense, but your conclusion is, that it is minimal.

Kline           I'm sure Mr. Abrams is sitting here behind me thinking, I wish I could whip out a textbook here so I could give you the words right out of that. But in the hierarchy zoning, industrial is considered to be the most intense. Commercial the moderate and residential is the least. So the case law is (inaudible) when you are rezoning a property from residential to industrial for instance, you need to show the greatest quantum of change to support that. You could argue that this is a down zoning of the property.

Levy           That all came through, but I think that when you drew your conclusion...the way you set it up was wrong. All I would say is, look it over if you need to.....

Kline           Thank you. I appreciate the editorial comments all the time.

Katz           Any other questions please? We are now going to here from the public. If there is anyone that would like to comment on this topic, we ask that you please state your name and address for the record and that you keep your

comments to no more than three minutes. Do we have anyone that would like to come before us? Mr. Arkin please.

Arkin Thank you Mr. Mayor, Madam Chair, Members of the Council and Commission. Richard Arkin, 121 Selby Street. First of all I would like to suggest that I think that moving from the I-3 Zone to something better is a good idea. But I'm not sure that the C-2 Zone optional method, gives us the best possible use of the land. And it seems to me that one of the mixed-use zones that we have in the City, the MXD Zone or the Corridor Zone for the central City, whose abbreviation is escaping me right now.

Katz The CD Zone.

Arkin Yes thank you. Might be a better kind of zone. I agree with all the comments that you made Mr. Medick about the distances between the buildings. The overall effect I think when you are on the ground is going to be a lot different when you are looking this pretty picture from the air. And there is no center to this plan. There is no focus, there is no clustering of buildings and I could see myself getting into my car and going from the restaurant at one end to the store somewhere else and then finally at the movie theater that was suggested somewhere else rather than walking. Better then what you will see with I-3, but I think it was a long way to go. But I would think in terms, there is a real prominent corner there. A hugely prominent corner of Watkins Mill Road and Route 355 and it says to me, just cries out saying, I am the center of this development and I think if you then go down in scale, you can end up with quite a different development. It would be much more attractive and much more pedestrian friendly. Thank you very much.

Katz Thank you. Anyone else in the audience, please. I see none, do you? Dan please.



Reeder        Dan Reeder, 11520 Game Preserve Road. Just a few questions. One of the presenters I believe is the architect, mentioned Watkins Mill Road extended and the six lanes. I just wanted to indicate that at this point in time, what's the relationship or dependency of this particular plan of proposal upon a Watkins Mill Road Extended seeing as how right now, only the planning phase has been completed and there is no funding for anything beyond that at this point. And since we are going to work session, I will just reserve any of the critical lane volume, capacity issues that Watkins Mill Road and adjacent intersections and things of that nature. Thank you.

Katz            Thank you. Anyone else in the audience please? None appearing? Mr. Kline did you or anyone else want to discuss the importance of Watkins Mill Road if it is constructed, when it would be constructed?

Kline           I'm not sure I could answer the timing, but I would say that from our presentation on the design issue, that is actually going to be nine lanes wide in there. So we are trying to set this up so that I develop is sensitive to what is an ultimate state of design. I'm talking that as a design issue not as a capacity issue. We will be glad to address that with you at the work session.

Edens           But you are intending to build the Watkins Mill leg there so that you have access?

Kline           Yes. They actually approved I-3 which underneath which will show you that it is actually going to be build all the way back to that monumental entrance in the middle of the project.

Edens           Just to the entrance?

Kline Well the rest of the project doesn't need access to it at the present time. I guess who builds the rest of it when it gets built is something that we will be working with the City on.

Katz Ok. And that will be discussed at that time. Any other questions? Its been suggested that we keep our record open indefinitely and I think that is a very good suggestion. What is the pleasure of the Planning Commission please?

Levy I move that the Planning Commission holds its record open indefinitely on Z-294 map amendment rezoning of a portion of a parcel 910 and Outlot 1B.

Winborne Second.

Keller All in favor?

Commission Ayes (3-0).

Keller The Commission passes 3-0.

Katz And what is the pleasure of the Council?

Alster I move that Council keep the record open indefinitely on Z-294.

Somerset Second.

Katz It's been moved and seconded, all those in favor please say aye?

Council Ayes (3-0).

Katz            Opposed? Carries unanimously as well. Thank you very much.

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**END OF JOINT PUBLIC HEARING**

**Z-294**

OCT-23-2002 WED 04:21 PM THE TRAFFIC GROUP

FAX NO. 4109318801

P. 04

October 23, 2002

Mr. Pate Henry  
Capstone Realty  
6723 Whittier Avenue, Suite 306C  
McLean, Virginia 22102

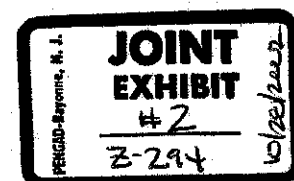
RE: Parcel 910 East  
Montgomery County, Maryland  
Our Job No.: 2000-1107

Dear Mr. Henry:

The Traffic Group, Inc. has undertaken an analysis to determine the impact of the proposed Mixed-Use Commercial Development known as "PARCEL 910 EAST" located along the south side of MD 355, between Watkins Mill Road and Travis Avenue in the City of Gaithersburg, Maryland. Two access points are proposed along MD 355, one opposite to Travis Avenue (full movement intersection), the other to east of Travis Avenue (right-in/right-out). A third access is also planned along Watkins Mill Road Extended south of MD 355.

Parcel 910 East is zoned I-3 and part of it is proposed for C-2. The I-3 zone does not require rezoning and would be developed with 186,800 sq.ft. of office space with 84,000 used for R&D and 102,800 for general office space.

The proposed C-2 zone requires rezoning and is proposed to contain restaurants, banks, and other retail facilities.



OCT-23-2002 WED 04:21 PM THE TRAFFIC GROUP

FAX NO. 4109316801

We have contacted staff at City of Gaithersburg, and found no approved developments of significant impact with building rights are in the vicinity of Parcel 910 East.

This study addresses a two step development schedule. First, to partially develop the I-3 zone as office and R&D space, and then develop the remaining C-2 zone assuming the I-3 zone office is background development.

The following pages describe the Exhibits contained in this report:

**EXHIBIT I** is a site location map.

**EXHIBIT 1A** is a Concept Plan showing the development of the property with full movement access to MD 355, opposite Travis Avenue, right-in/right-out access along MD 355 between Travis Avenue and Watkins Mill Road Extended, and a third access along Watkins Mill Road Extended south of MD 355. This same Exhibit details a connection through the commercial development along Professional Drive into the Parcel 910 East Property to provide access for employees to the retail and restaurant areas. For the purpose of this traffic study, this back road connection is not a significant peak hour generator, and is not reflected in our analysis.

**EXHIBIT 1B** is a Concept prepared by the Maryland State Highway Administration showing the I-270 & Watkins Mill Road Extended Interchange. This Exhibit details "Alternate 3 Revised", as a full diamond interchange. The Parcel 910 East property is located along the west side of Watkins Mill Road Extended located between Professional Drive and MD 355.

**EXHIBIT 1C** is an aerial photograph showing the approximate location of the property for the Parcel 910 East.

**EXHIBIT 2** displays the existing lane use along MD 355 between MD 124 & Game Preserve Road.

**EXHIBIT 3** shows existing peak hour volumes along MD 355 for both the morning peak hour and the evening peak hour based upon traffic counts conducted by The Traffic Group, Inc. in January, 2002. The summary worksheets along with photos and condition diagrams are contained in Appendix A.

**EXHIBIT 4A** shows the trip generation rates and totals for the I-3 zone office and R&D development within the Parcel 910 East Property. The development contains 102,800 sq.ft. of general office space and 84,000 sq.ft. of R&D space.

**EXHIBIT 4B** shows the trip generation rates and totals for the retail portion of Parcel 910 East Property in the C-2 zone. The following is a mix of the proposed uses.

- > **SIT-DOWN RESTAURANTS**
- > **FAST-FOOD RESTAURANT**
- > **DRIVE-IN BANKS**
- > **RETAIL SPACE, AND**
- > **A CONVENIENCE MARKET WITH 6 GAS PUMPS**

Please note that the trip generation for the subject site contains a 5% deduction for internal trip interactions on site based on ITE Trip Generation Handbook, October 1998.

**EXHIBIT 5A** shows the site trip assignments for the I-3 zone office in the Parcel 910 East Property.

**EXHIBITS 5B-1 & 5B-2** are the new and pass-by trip assignment worksheets for the C-2 zone in the Parcel 910 East Property.

OCT-23-2002 WED 04:22 PM THE TRAFFIC GROUP

FAX NO. 4109316601

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**EXHIBIT 6A** displays the total future traffic volumes with existing traffic and I-3 site traffic combined for studying the impact of the I-3 zone office.

**EXHIBIT 6B** is the total future traffic volumes for assessing the impact of the C-2 zone with I-3 office as background traffic. This exhibit is a combination of existing traffic, I-3 office traffic and C-2 retail traffic.

**EXHIBIT 7** contains the results of the intersection capacity analysis using Critical Lane Volumes Technique (CLV) addressing the impact of developing the I-3 zone office and the C-2 zone retail.

**EXHIBIT 8** shows the projected improvements under the I-3 zone office development and the C-2 zone retail. Please note that no improvements are recommended for the intersection of MD 355 & MD 124 due to the fact that no reasonable at-grade widening can be completed at this location.

**APPENDIX A** contains supplemental traffic information, intersection turning movement counts and condition diagrams and the trip assignments for all of the developments that were included as part of the background traffic.

**APPENDIX B** contains copies of the intersection capacity worksheets.

After you review this report, please call so we can discuss.

Sincerely,

John W. Guckert  
President

JWG:smb

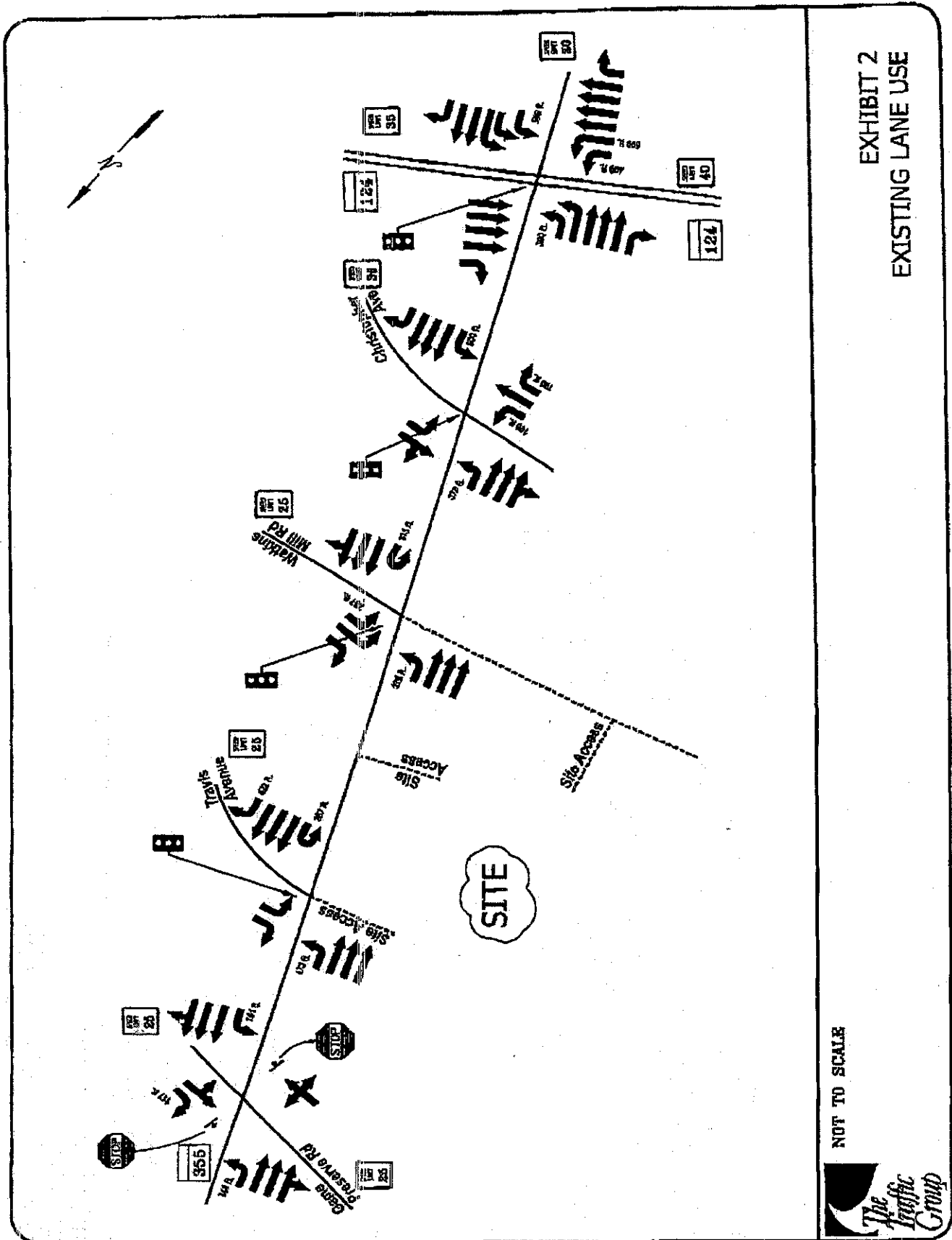


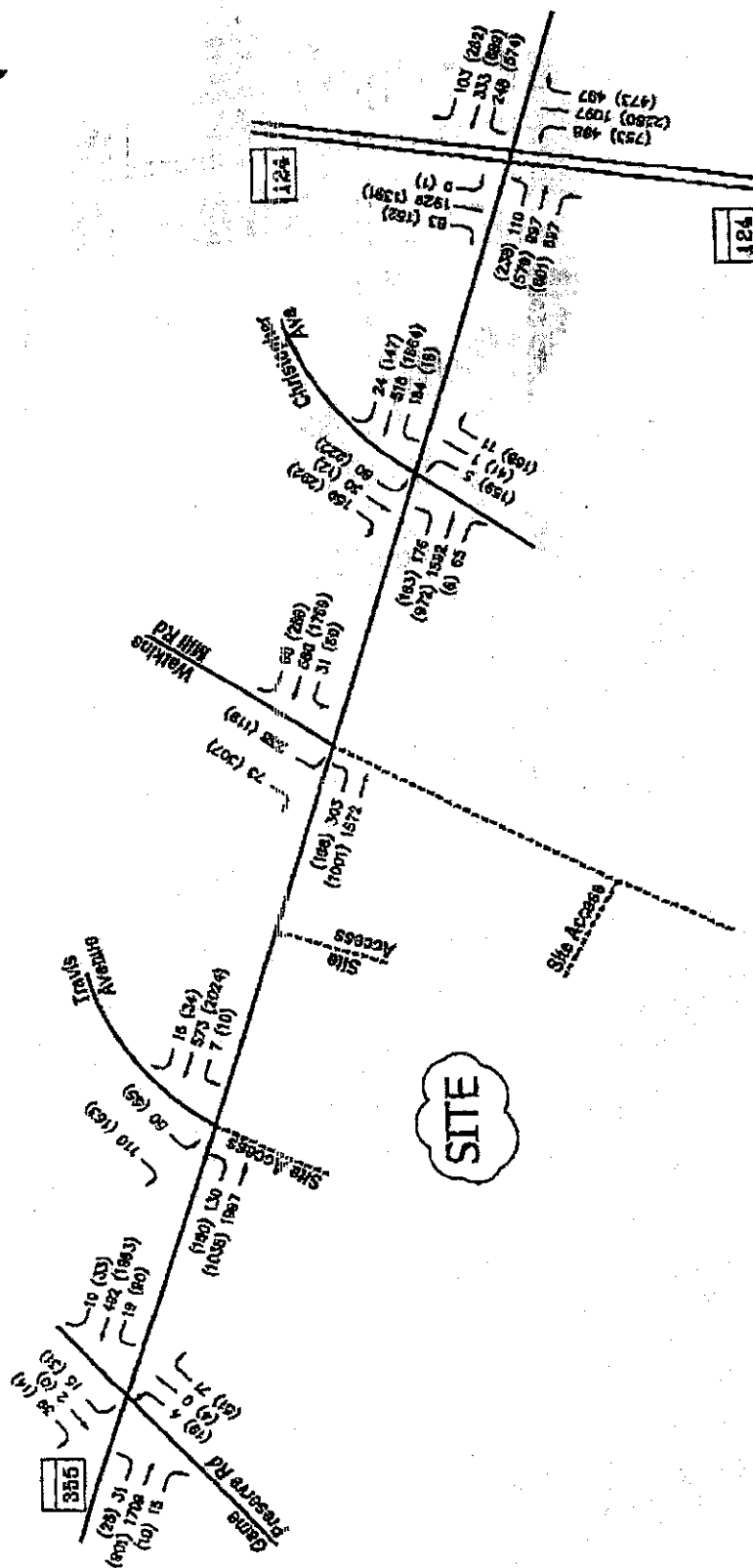
EXHIBIT 2  
EXISTING LANE USE



OCT-23-2002 WED 11:59 AM THE TRAFFIC GROUP

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**NOTE:**  
ALL INTERSECTIONS MAY NOT  
HAVE COMMON PEAK HOURS.

**NOT TO SCALE**

00 - MORNING PEAK HOUR  
(00) - EVENING PEAK HOUR

**EXHIBIT 3**  
**EXISTING PEAK HOUR**  
**TRAFFIC VOLUMES**

OCT-23-2002 WED 11:59 AM THE TRAFFIC GROUP

FAX NO. 4109316801

**TRIP GENERATION RATES****LAND USE****FORMULA****DISTRIBUTION****General Office ( ksf, ITE-710)**

$$\text{Ln(Morning Trips)} = 0.797 \times \text{Ln(ksf)} + 1.558 \quad 88/12$$

$$\text{Evening Trips} = 1.121 \times (\text{ksf}) + 79.295 \quad 17/83$$

**Research & Dev. Center (ksf, ITE - 760)**

$$\text{Ln(Morning Trips)} = 0.875 \times \text{Ln(ksf)} + 0.883 \quad 83/17$$

$$\text{Ln(Evening Trips)} = 0.832 \times \text{Ln(ksf)} + 1.060 \quad 15/85$$

MORNING PEAK HOUR			EVENING PEAK HOUR		
IN	OUT	TOTAL	IN	OUT	TOTAL

**I-3 ZONE OFFICE**

102,800 sf General Office	168	23	191	33	162	195
84,000 sf R & D Center	97	20	117	17	98	115
5% Internal from retail	-13	-2	-15	-3	-13	-16

<b>Off-site trips</b>	<b>252</b>	<b>41</b>	<b>293</b>	<b>47</b>	<b>247</b>	<b>294</b>
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**EXHIBIT 4A**

**TRIP GENERATION RATES AND TOTALS  
FOR PARCEL 910 EAST I-3 ZONE OFFICE**

OCT-23-2002 WED 11:59 AM THE TRAFFIC GROUP

FAX NO. 4109316601

**TRIP GENERATION RATES****LAND USE** **FORMULA****DISTRIBUTION****High Turnover (Sit-Down) Rest. (ksf, ITE-832)**Morning Trips =  $9.27 \times \text{ksf}$ 

52/48

Evening Trips =  $10.86 \times \text{ksf}$ 

60/40

**Fast Food Rest. w/Drive-Thru (ksf, ITE-834)**Morning Trips =  $49.86 \times \text{ksf}$ 

51/49

Evening Trips =  $33.48 \times \text{ksf}$ 

52/48

**Drive-In Bank (ksf, ITE-912)**Morning Trips =  $12.63 \times \text{ksf}$ 

56/44

Evening Trips =  $54.77 \times \text{ksf}$ 

50/50

**Shopping Center (ksf, ITE-820)** $\text{Ln}(\text{Morning Trips}) = 0.596 \times \text{Ln}(\text{ksf}) + 2.329$ 

61/39

 $\text{Ln}(\text{Evening Trips}) = 0.660 \times \text{Ln}(\text{ksf}) + 3.403$ 

48/52

**Convenience Market w/ gas pumps (ksf, ITE-853)**Morning Trips =  $17.17 \times \text{Fueling Positions}$ 

50/50

Evening Trips =  $19.22 \times \text{Fueling Positions}$ 

50/50

**EXHIBIT 4B****TRIP GENERATION RATES AND TOTALS  
FOR PARCEL 910 EAST C-2 ZONE RETAIL**

OCT-23-2002 WED 12:00 PM THE TRAFFIC GROUP

FAX NO. 4109316801

**TRIP GENERATION TOTALS**

MORNING PEAK HOUR			EVENING PEAK HOUR		
IN	OUT	TOTAL	IN	OUT	TOTAL

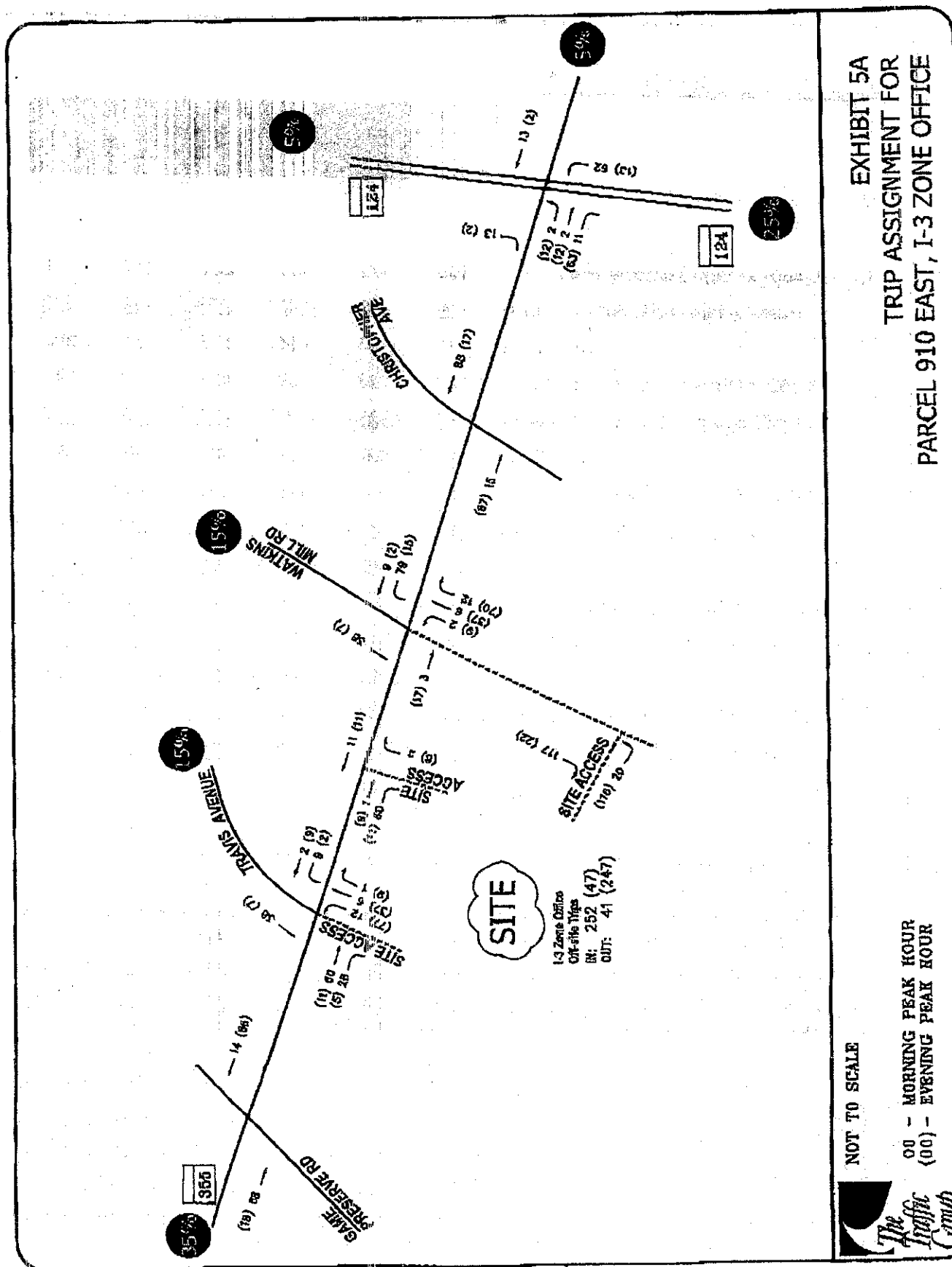
**C-2 ZONE RETAIL**

1.	38,450 sf High Turnover Rest.	185	171	356	251	167	418
	Pass-by trips 40%, 50% AM & PM	<u>-74</u>	<u>-68</u>	<u>-142</u>	<u>-126</u>	<u>-84</u>	<u>-210</u>
	New Trips	111	103	214	125	83	208
2.	7,200 sf Fast Food w/Drive-Thru	183	176	359	125	116	241
	Pass-by trips 50%, 60% AM & PM	<u>-92</u>	<u>-88</u>	<u>-180</u>	<u>-75</u>	<u>-70</u>	<u>-145</u>
	New Trips	91	88	179	50	46	96
3.	11,500 sf Drive-in Bank	81	64	145	315	315	630
	Pass-by trips 70%, 80% AM & PM	<u>-57</u>	<u>-45</u>	<u>-102</u>	<u>-252</u>	<u>-252</u>	<u>-504</u>
	New Trips	24	19	43	63	63	126
4.	31,700 sf Shopping Center	49	32	81	141	153	294
	Pass-by trips 40%, 50% AM & PM	<u>-20</u>	<u>-13</u>	<u>-33</u>	<u>-71</u>	<u>-77</u>	<u>-148</u>
	New Trips	29	19	48	70	76	146
5.	4,500 sf Conv. Market, gas pumps	103	103	206	115	115	230
	Pass-by trips 40%, 50% AM & PM	<u>-41</u>	<u>-41</u>	<u>-82</u>	<u>-58</u>	<u>-58</u>	<u>-116</u>
	New Trips	62	62	124	57	57	114
	Internal from office	-13	-2	-15	-3	-13	-16

<b>Total trips for Parcel #10 East</b>	<b>588</b>	<b>544</b>	<b>1132</b>	<b>944</b>	<b>853</b>	<b>1797</b>
<b>Pass-by trips for Parcel #10 East</b>	<b>-278</b>	<b>-254</b>	<b>-532</b>	<b>-580</b>	<b>-533</b>	<b>-1113</b>
<b>Off-Site Trips for Parcel #10 East</b>	<b>310</b>	<b>290</b>	<b>600</b>	<b>364</b>	<b>320</b>	<b>684</b>



EXHIBIT 4B CONT'D  
TRIP GENERATION RATES AND TOTALS  
FOR PARCEL 910 EAST C-2 ZONE RETAIL



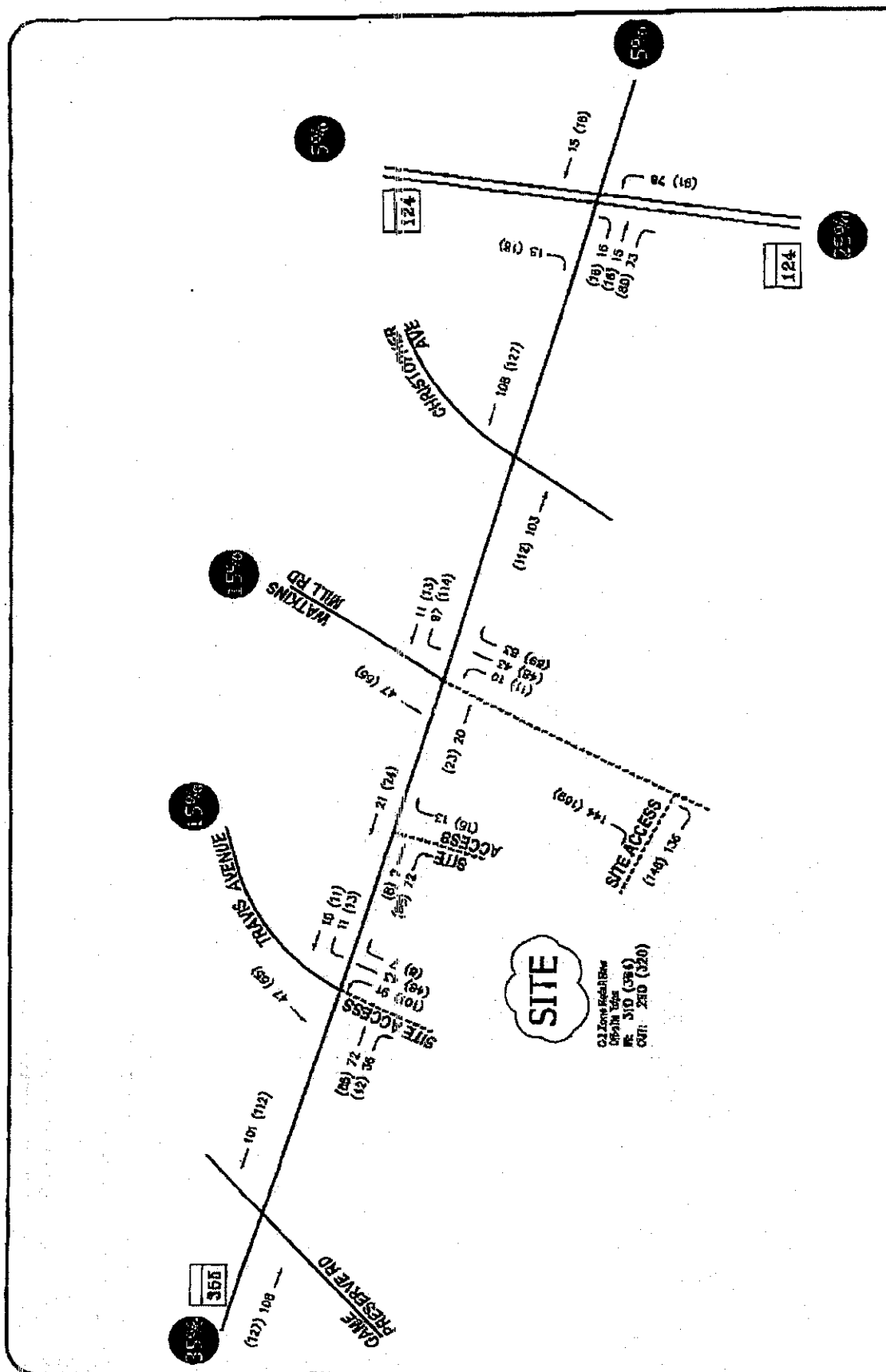


EXHIBIT 5B-1  
NEW TRIP ASSIGNMENT FOR  
PARCEL 910 EAST, C-2 ZONE RETAIL

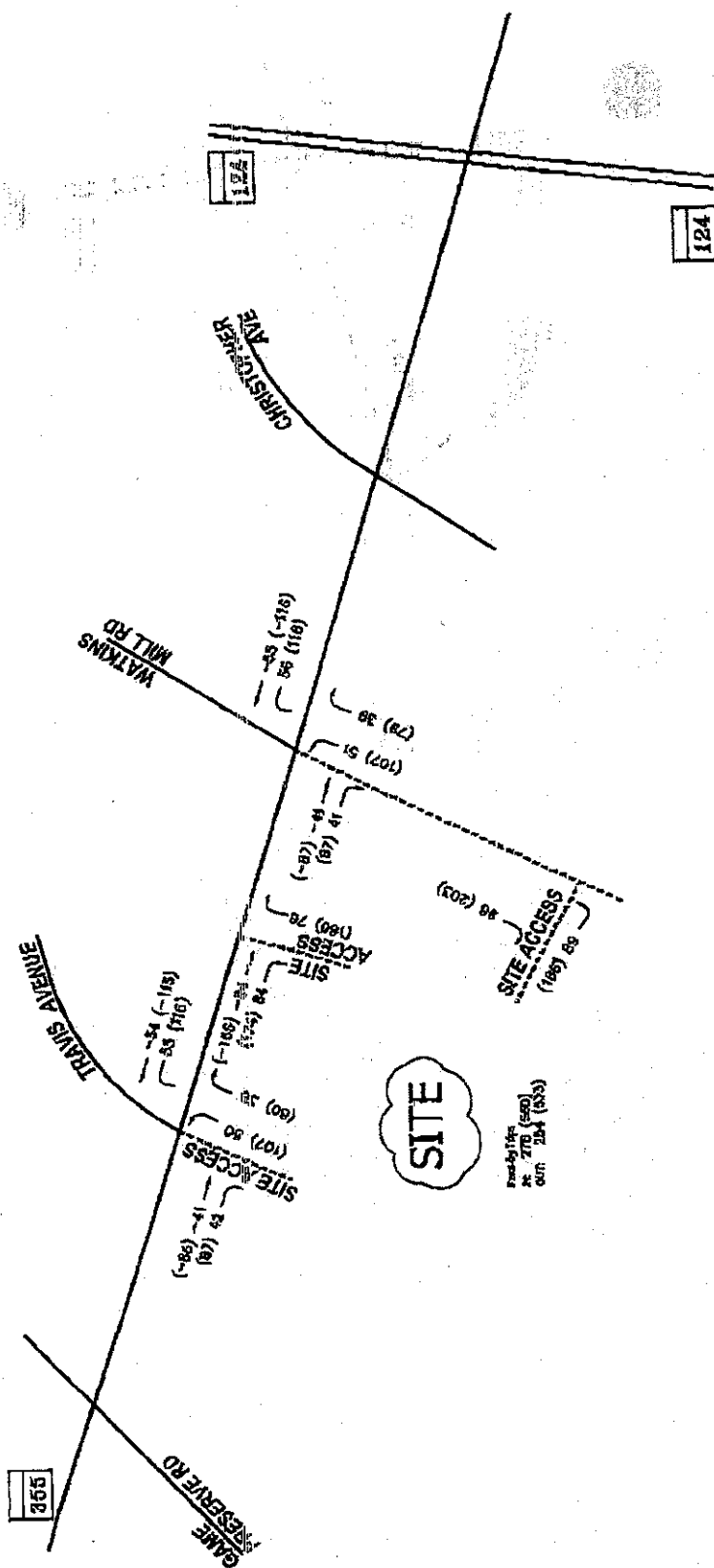
NOT TO SCALE

00 - MORNING PEAK HOUR  
(00) - EVENING PEAK HOUR



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**NOT TO SCALE**

10 - MORNING PEAK HOUR  
(00) - EVENING PEAK HOUR

EXHIBIT 5B-2  
PASS-BY TRIP ASSIGNMENT FOR  
PARCEL 910 EAST, C-2 ZONE RETAIL

OCT-23-2002 WED 12:00 PM THE TRAFFIC GROUP

FAX NO. 4109316601

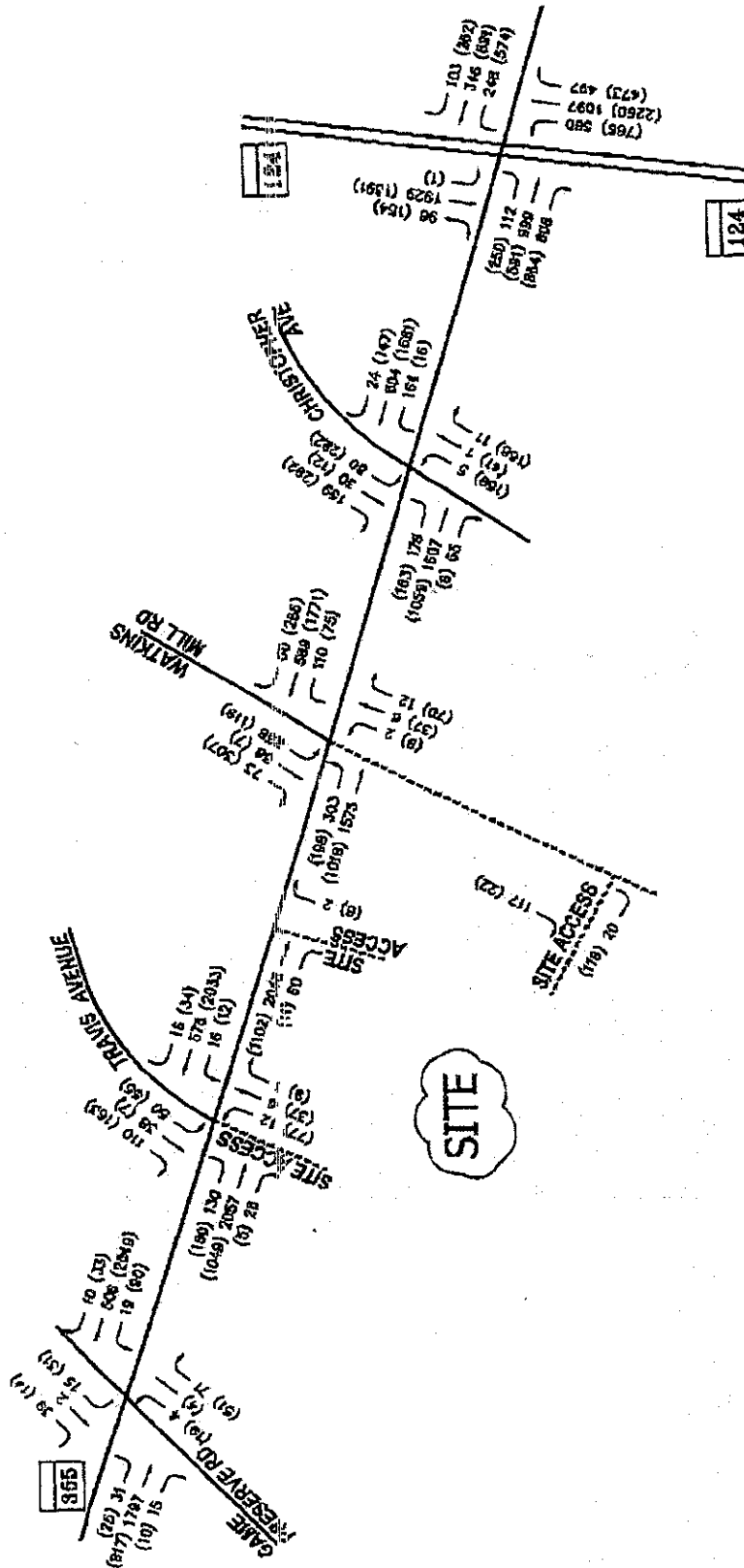


EXHIBIT 6A  
TOTAL PEAK HOUR TRAFFIC VOLUMES  
WITH I-3 ZONE OFFICE ONLY

NOT TO SCALE

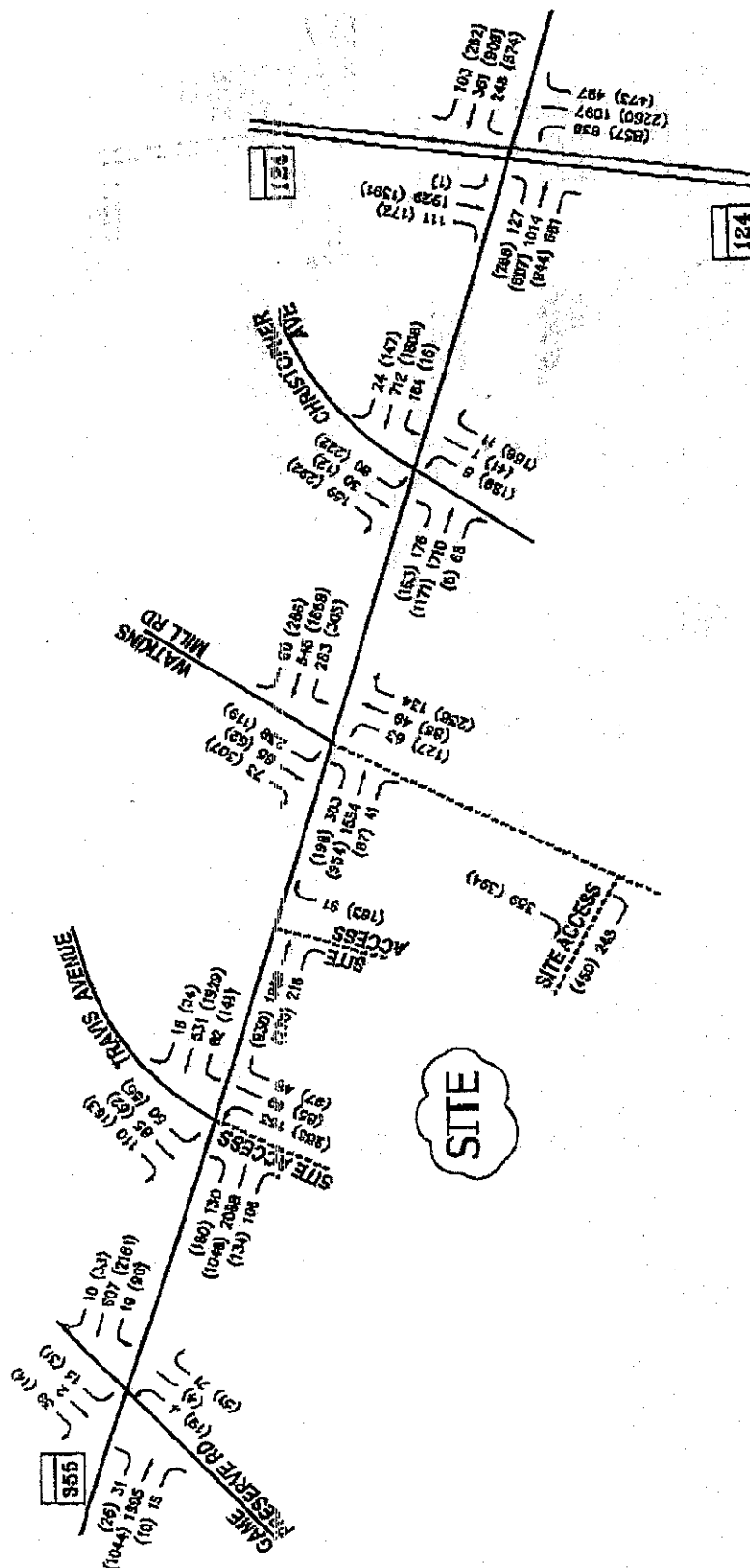
00 - MORNING PEAK HOUR  
(00) - EVENING PEAK HOUR





OCT-23-2002 WED 12:01 PM THE TRAFFIC GROUP

FAX NO. 4109318801



**EXHIBIT 6B**  
**TOTAL PEAK HOUR TRAFFIC VOLUMES**  
**WITH I-3 ZONE OFFICE & C-2 ZONE RETAIL**

NOT TO SCALE

00 - MORNING PEAK HOUR  
 (00) - EVENING PEAK HOUR



OCT-23-2002 WED 12:01 PM THE TRAFFIC GROUP

FAX NO. 4109316601

	Existing Traffic	Total Traffic with I-3	Total Traffic with I-3 & C-2
Morning Peak Hour Traffic	LOS / CLV	LOS / CLV	LOS / CLV
MD 355 & Game Preserve Road	A/747	A/779	A/819
MD 355 & Travis Avenue/Site	A/789	—	—
<i>With Improvements</i>	—	A/947	C/1242
MD 355 & Watkins Mill Road	A/708	—	—
<i>With Improvements</i>	—	A/825	B/1028
MD 355 & Christopher Avenue	A/971	A/977	B/1015
MD 355 & MD 124	D/1304	D/1338	D/1384
MD 355 & Site Access	—	A/782	A/899

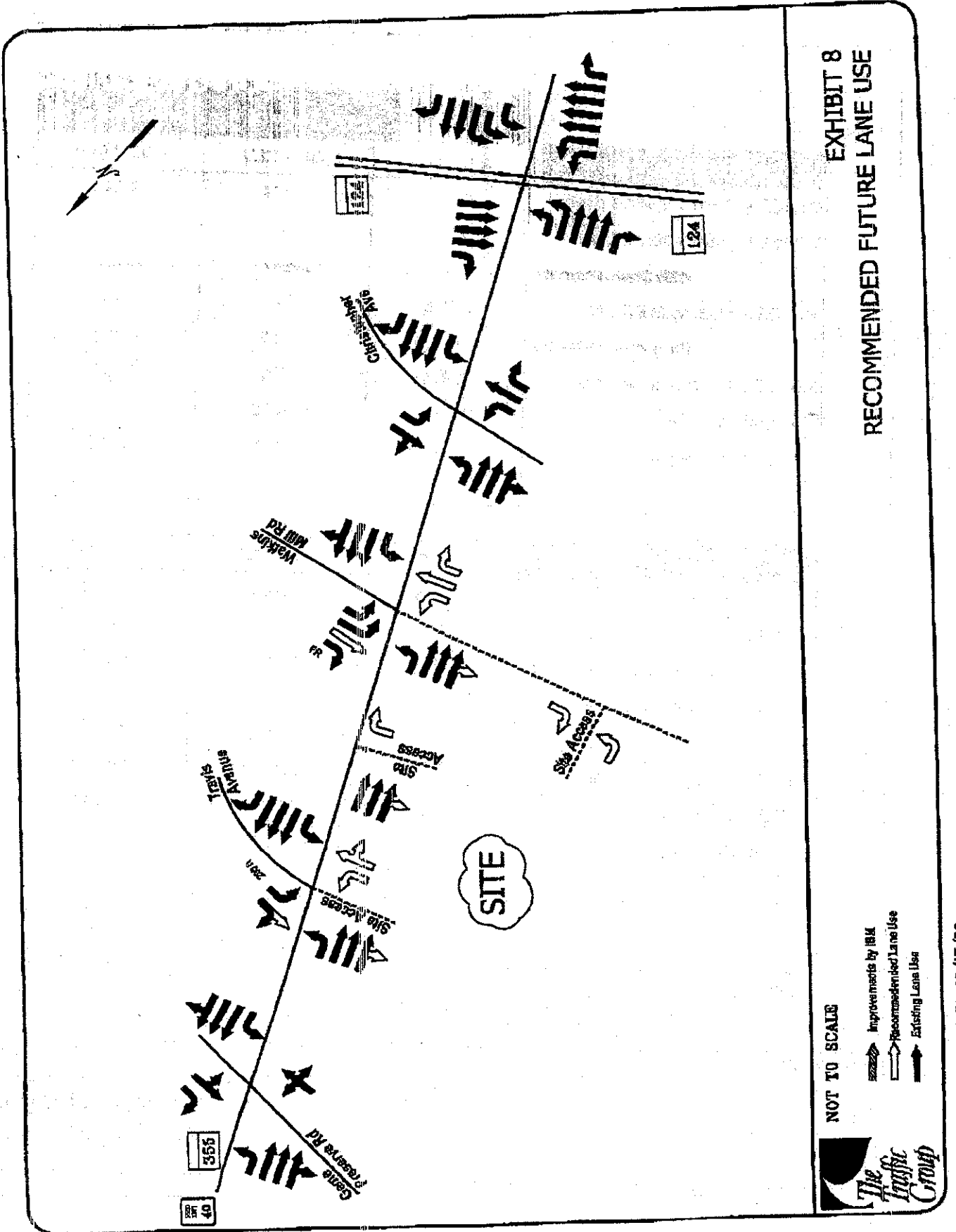
	LOS / CLV	LOS / CLV	LOS / CLV
Evening Peak Hour Traffic	LOS / CLV	LOS / CLV	LOS / CLV
MD 355 & Game Preserve Road	A/869	A/900	A/942
MD 355 & Travis Avenue/Site	A/984	—	—
<i>With Improvements</i>	—	C/1179	D/1404
MD 355 & Watkins Mill Road	B/1067	—	—
<i>With Improvements</i>	—	B/1077	C/1157
MD 355 & Christopher Avenue	C/1242	C/1248	C/1295
MD 355 & MD 124	D/1430	E/1493	E/1573
MD 355 & Site Access	—	A/420	A/627

**Note:**

For Improvement specifications see Exhibit 8.



# EXHIBIT 7 RESULTS OF INTERSECTION CAPACITY ANALYSES



# RODGERS

CONSULTING

Enhancing the value of land assets

October 23, 2002

City of Gaithersburg  
Planning and Code Administration  
31 South Summit Avenue  
Gaithersburg, MD 20877

Attention: Mr. Mark DePoe

Re: Part of Parcel 910 and Outlot 1B  
C-2 Optional Method Zoning Application

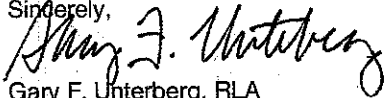
Dear Mark,

Per our discussions the following is a list of buildings with the associated use and size for the October 28, 2002 Work Session.

Building	Use	Size	Height	Zone
A	Restaurant	6,000 sq ft	1 Story	C-2
B	Bank	4,000 sq ft	1 Story	C-2
C	Restaurant	6,000 sq ft	1 Story	C-2
D	Restaurant	4,000 sq ft	1 Story	C-2
E	Restaurant	3,500 sq ft	1 Story	C-2
F	Restaurant	6,000 sq ft	1 Story	C-2
G	Bank	3,500 sq ft	1 Story	C-2
H	Retail	2,500 sq ft	1 Story	C-2
I	Retail (Book Store)	22,500 sq ft	2 Story	C-2
J	Retail	2,000 sq ft	1 Story	C-2
K	Restaurant	6,800 sq ft	1 Story	C-2
L	Restaurant	6,850 sq ft	1 Story	C-2
M	Fast Food	4,000 sq ft	1 Story	C-2
N	Bank	4,000 sq ft	1 Story	C-2
O	Service Station	4,500 sq ft	1 Story	C-2
P	Fast Food	3,200 sq ft	1 Story	C-2
Q	Office	6,000 sq ft	1 Story	I-3
R	Office	25,000 sq ft	3 Story	I-3
S	Parking Structure/Retail	6,000 sq ft	3 to 4 Story	C-2
T	Office	60,000 sq ft	3 Story	I-3
U	Restaurant	2,250 sq ft	1 Story	C-2
V	Restaurant	2,250 sq ft	1 Story	C-2
W	R&D Office	54,000 sq ft	2 Story	I-3
X	R&D Office	30,000 sq ft	2 Story	I-3

If you have any questions or need additional information please give me a call.

Sincerely,



Gary F. Unterberg, RLA  
Project Manager

Cc: P. Henry, BPR J. Arnoult, DPW  
B. Kline, BPR J. Carman, RCI  
J. Kline, MMC File

Y:\776a2\corres\C-2 Zoning, SDP\102302 depoeL c-2 zoning sq ft.doc

9260 Gaither Road, Gaithersburg, MD 20877 — 301.948-4700 — 301.948-6256 (fax) — www.rodgers.com



SEARCH DATA	BY	DATE
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DOANH		
REVENUE		
HOODS, STANLEY		
RELEASE FBI		

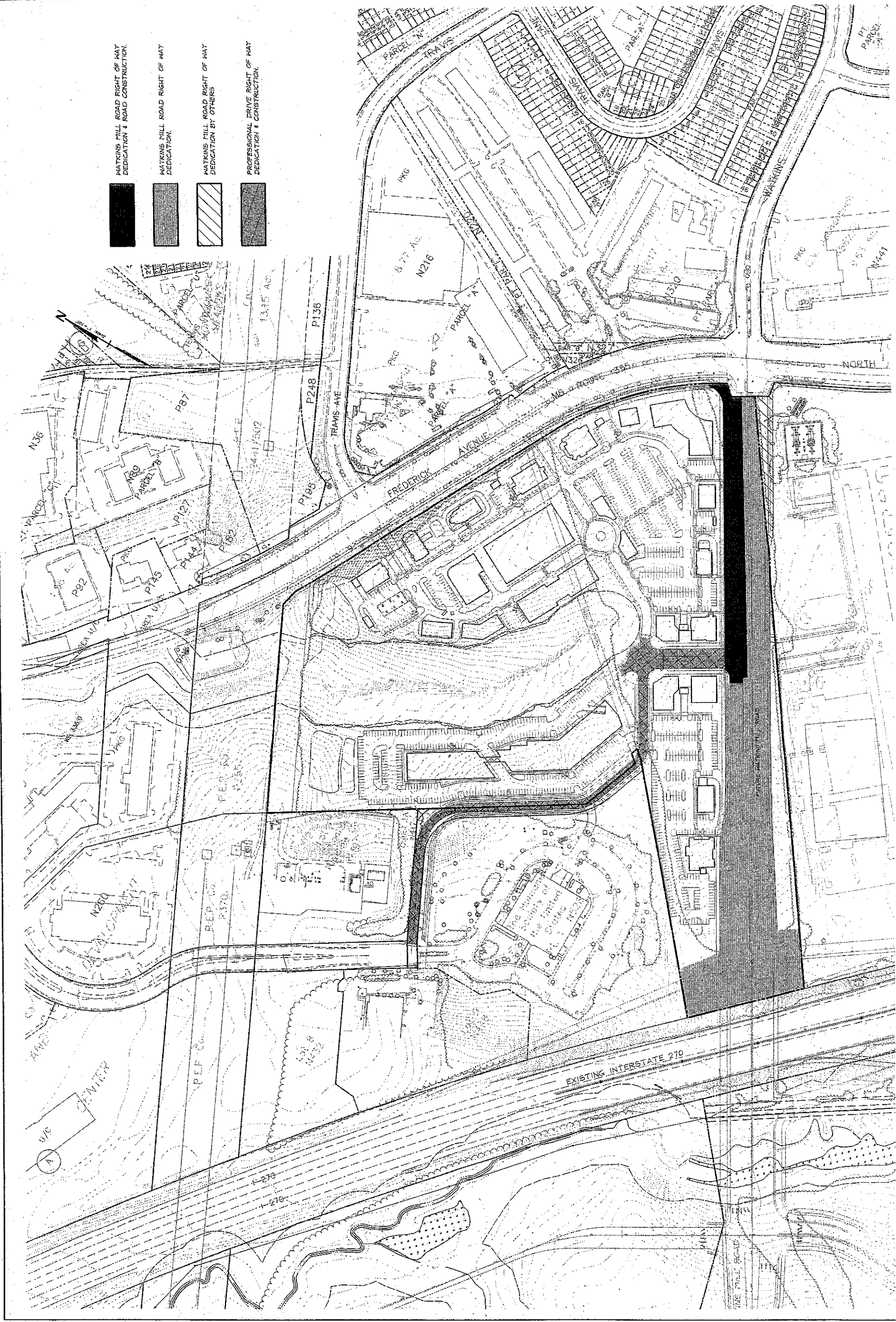
Rodgers Consulting, Inc.  
 19346 Guilford Road  
 Gaithersburg, MD 20877  
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 801.348.4306 (fax)  
 301.353.5000  
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Contact: Mr. Peter J. Henry

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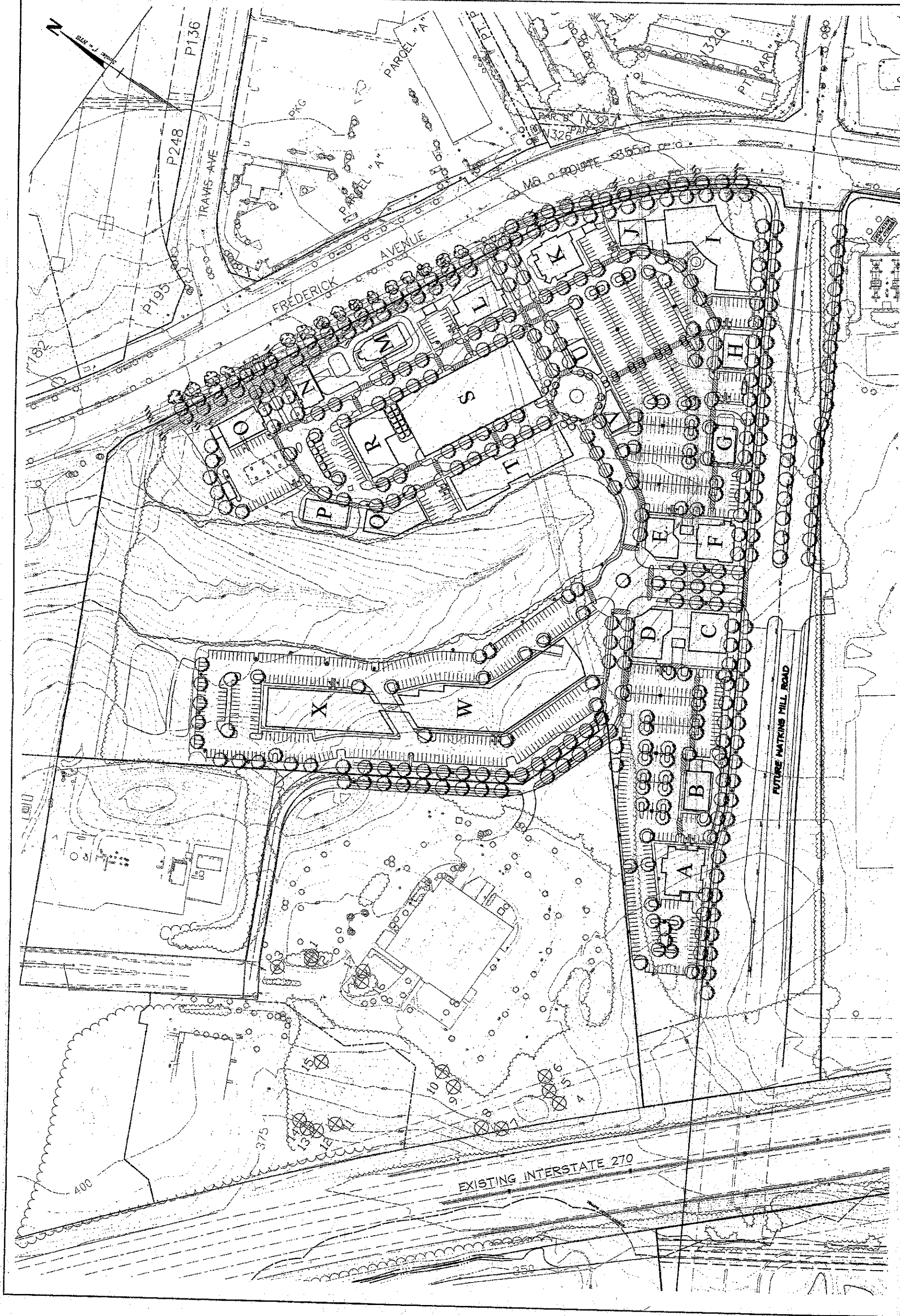


	WATKINS MILL ROAD RIGHT OF WAY DEDICATION & ROAD CONSTRUCTION.
	WATKINS MILL ROAD RIGHT OF WAY DEDICATION.
	WATKINS MILL ROAD RIGHT OF WAY DEDICATION BY OTHERS
	PROFESSIONAL DRIVE RIGHT OF WAY DEDICATION & CONSTRUCTION.

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This detailed site plan for 'Option A' illustrates a proposed development. The plan features a large central area with building footprints labeled A through X, arranged in a complex, interconnected layout. Building A is located at the bottom left, while building X is at the top left. The plan also shows extensive parking areas, including a large lot labeled 'S' in the center. Surrounding the development are various infrastructure elements: 'EXISTING INTERSTATE 270' runs along the bottom edge, 'FREDERICK AVENUE' runs along the top edge, and 'FUTURE MATTHEWS MILL ROAD' is shown on the right side. The plan includes topographic contour lines, a north arrow in the top left corner, and various lot numbers (e.g., P195, P248, P136, P135, P134, P133, P132, P131, P130, P129, P128, P127, P126, P125, P124, P123, P122, P121, P120, P119, P118, P117, P116, P115, P114, P113, P112, P111, P110, P109, P108, P107, P106, P105, P104, P103, P102, P101, P100, P99, P98, P97, P96, P95, P94, P93, P92, P91, P90, P89, P88, P87, P86, P85, P84, P83, P82, P81, P80, P79, P78, P77, P76, P75, P74, P73, P72, P71, P70, P69, P68, P67, P66, P65, P64, P63, P62, P61, P60, P59, P58, P57, P56, P55, P54, P53, P52, P51, P50, P49, P48, P47, P46, P45, P44, P43, P42, P41, P40, P39, P38, P37, P36, P35, P34, P33, P32, P31, P30, P29, P28, P27, P26, P25, P24, P23, P22, P21, P20, P19, P18, P17, P16, P15, P14, P13, P12, P11, P10, P9, P8, P7, P6, P5, P4, P3, P2, P1). The plan is labeled 'OPTION A' in the top right corner.

OPTION A

C-2 ZONING EXHIBIT

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